

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

DANIEL S. PORTER,

Petitioner,

v.

GARRETT, *et al.*,

Respondents.

Case No. 3:22-cv-00089-MMD-CLB

ORDER

Petitioner Daniel S. Porter filed a counseled Third Amended Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2254. (ECF No. 27 ("Third Amended Petition").) This Court granted, in part, Respondents' motion to dismiss the Third Amended Petition, finding that ground six and a portion of ground seven were unexhausted. (ECF Nos. 52, 58.) This Court instructed Porter to inform the Court how he wished to proceed with his mixed Third Amended Petition. (ECF No. 52.) In response, Porter has filed a declaration voluntarily dismissing ground six and the unexhausted portion of ground seven. (ECF No. 59.)

It is therefore ordered that ground six and the unexhausted portion of ground seven are dismissed.

It is further ordered that Respondents file a response to the remaining grounds in the Third Amended Petition within 60 days of the date of this Order.

DATED THIS 12th Day of December 2024.



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE